

International Association of Fire Chiefs

Federal Grant Programs for the Fire Service

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presented to

**Committee on Commerce, Science,
and Transportation**

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Mister Chairman, and members of the committee, I am Luther Fincher, chief of the Charlotte, NC Fire Department. I am appearing today as the President of the International Association of Fire Chiefs (ICHIEFS).

The International Association of Fire Chiefs is a professional association comprised of over 12,000 senior fire and emergency officials in all fifty states. ICHIEFS provides a variety of services to its members including the representation of America's fire departments before the federal government.

Public policy positions are the result of consensus among members as articulated by ICHIEFS' elected Board of Directors. ICHIEFS maintains eight regional divisions and six special interest sections, such as the volunteer chief officers and emergency medical services sections. In addition, committees are formed to address specific issues such as hazardous materials, health and safety, and communications. These committees provide a forum for fire chiefs with relevant expertise to formulate national solutions to problems that confront the fire service.

The organization's president is elected at-large by the full association membership and serves a term of one year. Each of sixteen board members is elected regionally or by special interest section. Founded in 1873, ICHIEFS and its 30-member staff are headquartered in Fairfax, Virginia.

We appreciate the opportunity to testify before this Senate Committee on Commerce, Science and Transportation in support of S 1941, the Firefighter Investment and Response Enhancement (FIRE) Act authored by Senators DeWine and Dodd. We have previously testified in the House of Representatives in strong support of HR 1168, a measure similar to the Senate bill.

The legislative proposal to establish a federal grant program to benefit the fire and emergency services has merit and a basis for federal policy. It is important first, however, to understand the mission and scope of America's fire and emergency services.

Mission of the Fire Service

The mission of America's fire service was clearly spelled out in legislation that defined fire fighter activities. It passed in this Congress and was recently enacted as Public Law 106-151. Fire fighter is now defined in the Fair Labor Standards Act as an employee who: "...is engaged in the prevention, control, and extinguishment of fires or response to emergency situations where life, property, or the environment is at risk." The activities included are: "fire fighter, paramedic, emergency medical technician, rescue worker, ambulance personnel, or hazardous materials worker."

The image of the fire service is most often associated with fire suppression activities. However, fire departments have evolved into multi-hazard risk management and emergency response forces. The mission has expanded to include a wide range of threats to public health and safety and the fire department is expected to take whatever action is necessary in any situation. The fire service has also become increasingly involved in protecting the environment.

While the specific functions performed by different fire departments vary considerably, the overall fire service mission can be described as encompassing five primary areas:

1. Fire Suppression
2. Emergency Medical and Rescue Services
3. Hazard Control and Risk Abatement
4. Fire Prevention and Public Education
5. Enforcement of Fire and Safety Codes, Laws and Regulations

This broad definition of the fire service mission includes the primary responsibility for emergency response and intervention in situations that have the potential to harm persons or property, as well as efforts to manage risks, reduce vulnerability to potential threats and prepare for situations that could occur at some time in the future.

Fire Suppression - The United States has more fire suppression capability, in terms of fire fighters, vehicles and equipment, than any other industrialized nation. The United States also has a relatively high rate of fires in comparison with other industrialized nations, which tends to justify the emphasis on fire suppression capability. The rate of fires is particularly high in low income areas and older urban areas, many of which would be highly susceptible to very large and damaging fires if they did not have effective fire fighting forces. The U.S. also has an unacceptably high rate of fire fighter injury and death.

The basic strategy of fire suppression combines rapid response to control fires while they are small (offensive strategy), along with the ability to confine and overwhelm any fires that exceed the capabilities of the initial attack (defensive strategy). The great majority of fires are successfully controlled, particularly in urban areas where fire departments are generally deployed to respond within 3 to 5 minutes to any fire that occurs - most structure fires do not spread beyond the room of origin and few involve more than a single building. The total capability of the fire suppression resources that are available in most urban areas can confine or control very large fires.

The fire suppression capability does not always equal the level of fire risk, particularly in smaller communities and rural areas. The massive “urban/wildland interface” fires that often threaten suburban areas and small communities in the western states, illustrate that the combination of high winds, low humidity and limited water supplies can overwhelm the capabilities of any fire suppression forces.

Emergency Medical Service - In most cities the fire department responds to more medical calls than fires or any other types of incidents. Over the past 20 years there has been a major shift by fire departments toward providing emergency medical service (EMS), accompanied by very significant advances in the accepted standards of emergency medical care. Approximately 60 percent of the emergency medical service in the United States is provided by fire department-based organizations.

This expansion of the mission has resulted in a large increase in the total number of emergency responses by fire departments. In some cases the fire suppression and emergency medical service functions are fully integrated, with personnel trained and equipped to perform both missions, while other fire departments have separate EMS or ambulance divisions.

Where the fire department is not the primary provider of EMS, it is often the "first responder" agency, working with a separate EMS department or a private ambulance company. A "first responder" is dispatched to situations where a patient's condition requires rapid intervention and a fire suppression unit can reach the patient more quickly than an ambulance. Whether it is the primary provider or a first responder agency, the fire suppression force is likely to be a major component of the medical response capability for a mass casualty incident, as well as the primary rescue resource.

Rescue - In most areas the fire department is also responsible for conducting rescue operations, which range from relatively simple to highly complex and dangerous situations. All fire fighters have at least basic rescue skills and many fire departments have rescue companies that are trained and equipped to perform more complicated rescue operations. There have been major advances in training, equipment and technical skills related to rescue over the past two decades, which have resulted in the development of many specialized technical rescue teams for particular types of incidents.

The list of rescue specialties includes vehicle extrication, confined space rescue, swift water and underwater rescue, urban search and rescue (rescue of victims from collapsed structures), high angle rope rescue, mountain rescue and several others. Specialized rescue teams are usually developed to deal with the types of incidents that are most likely to occur in a particular community or region. In many cases the teams are made-up of individual fire fighters who have the advanced training, while others involve fire suppression companies that have been designated to perform specific technical rescue functions in addition to their regular duties.

Hazard Control, Risk Abatement and Technical Operations - Fire departments are generally responsible for the regulation and control of other types of hazards particularly the transportation, storage, handling and use of hazardous materials (*hazmat*). This includes the responsibility for responding to incidents that involve spills and releases of hazardous substances, which would also include terrorist incidents that involve explosives, nuclear materials and biological or chemical agents.

Some fire departments, particularly in major cities, have dedicated hazardous materials units that specialize in performing the technical response functions, while others have organized special teams similar to the special rescue teams. Regional response teams often involve participants from more than one fire department.

Fire Prevention & Public Education - During the past 20 years there has been a significant decline in the number of fires and in the number of fire deaths and injuries in the United States, most of which can be attributed to improvements in fire prevention and public fire safety education. Fire prevention measures decrease the level of fire risk by eliminating hazards, requiring safe construction and ensuring that systems to detect and control fires are installed and properly maintained. Public education efforts are designed to increase public awareness of hazards and to teach safe practices. Public education programs have also become a vehicle to train the public in

appropriate self-help procedures and to develop community based response capabilities for other types of emergency situations, such as earthquakes and hurricanes.

Because of this success, the Federal Emergency Management Agency asked the fire service to join in its Project Impact to help build disaster-resistant communities. Just a year ago, ICHIEFS and numerous other fire service organizations formed the Project Impact Fire Services Partnership for Disaster Prevention. The goal is to broaden the traditional fire prevention role of the fire service to assist the comprehensive effort to build disaster-resistant communities.

Law Enforcement - The fire department is usually responsible for investigating and determining the causes of fires, which is the first step in most arson investigations. Some fire departments have full responsibility for investigating arson, while others work with state fire marshals or with police investigators on criminal cases. Federal law enforcement agencies, particularly the Bureau of Alcohol, Tobacco and Firearms and the Federal Bureau of Investigation (FBI), have increased their involvement in arson cases and expanded their relationships with local fire investigations units in recent years.

In addition to regulating the storage and use of explosives within local jurisdictions, several fire departments are directly involved in investigating bombings and some operate the local bomb squads. The fire service is likely to be the first responding agency to terrorist incidents to provide medical treatment, conduct search and rescue operations, control fires and deal with explosives, chemical agents and other types of hazards. This involvement in terrorist incidents requires a close working relationship with investigating agencies to identify, protect and recover evidence.

Many fire departments also work closely with the Drug Enforcement Administration and other law enforcement agencies in shutting down drug labs that utilize dangerous chemicals. Some fire departments have assigned medical personnel to train with police SWAT teams and support their operations.

The application of fire prevention codes, life safety codes and building codes to limit the level of fire risk is an additional law enforcement function. The fire service is also increasingly involved in the enforcement of environmental protection regulations relating to the storage and use of hazardous materials.

Fire Department Organization

The fire service exists in many different forms throughout the United States and encompasses a very large number of individuals and organizations. Although it is primarily associated with local emergency response organizations, the fire service operates at all levels of government as well as the private sector. The total size of the public fire service is estimated at over 30,000 fire departments with approximately 1.1 million members.

All major metropolitan cities in the United States and most cities with more than 50,000 population are protected by municipal fire departments and career fire fighters. The career fire service is estimated to include about 3,000 fire departments and approximately 275,000 full-time paid fire fighters. The largest career fire department has more than 11,000 full time employees (New York City), while the majority have fewer than 50 employees.

Volunteer fire departments protect most of the rural areas and smaller communities in the United States, as well as many of the suburban areas surrounding large cities. There are estimated to be approximately 27,000 volunteer fire departments and more than 800,000 volunteer fire fighters in the United States.

Some jurisdictions have what is known as combination fire departments where both career and volunteer fire fighters form the fire and emergency response. Two examples of combination departments near Washington, DC are Montgomery County, MD and Fairfax County, VA. There are many other examples across the country.

Most of the fire departments in the United States operate at the local government level. However, there are many variations in their organization and structure in different states and regions. Fire department organization structures are often based on a combination of history and tradition, as well as state legislation.

Local Government - Most career fire departments are organized as part of a municipal government and supported by local tax revenues. The Fire Chief usually reports directly to the Mayor or City Manager or to an appointed Public Safety Director or Commissioner. While most towns and cities operate their own fire departments, others have joined with neighboring communities to operate unified fire departments and some obtain services from a neighboring community or from a county or regional fire department.

Fire districts are separate governmental bodies that are organized specifically to collect and appropriate tax revenues for the limited purpose of providing fire department services. Most fire districts are established by counties to protect unincorporated areas and they often have their own elected fire commissioners or appointed governing bodies. Incorporated communities sometimes contract with fire districts to serve their areas or delegate a portion of their local taxing authority to a fire district to obtain their services. Fire districts also have the option of contracting with another provider, such as a nearby town or city, instead of operating their own fire department to deliver the service.

The relationships between volunteer fire departments and local governments are much more variable, particularly from state to state. Volunteer fire departments are often established as independent non-profit corporations and many are supported by non-tax revenues, including a wide range of fund raising activities. In other cases they are supported by fire district taxes or direct appropriations from counties or municipalities.

In some states volunteer fire departments are established by state charter and are independent of any local government authorities. While there may be no direct structured relationship between the volunteer organization and the local government, there is usually some form of official authorization or delegation of responsibility to the volunteer fire department to provide emergency services to the community. These relationships are often based on local history and regional traditions.

Volunteer fire chiefs and officers are often elected by the members of their departments, although their authority to act as public safety officials is generally established through state legislation or through official appointment by the local governmental body. In many cases an elected volunteer fire chief has the same legal authority and responsibilities as a fire chief who is appointed by the chief executive of a city, town or county, although this varies considerably with state and local laws.

Other Public Fire Departments - The federal government, many state governments and other quasi-governmental bodies, such as airport authorities and port authorities, also operate fire departments. Some of these fire departments are highly specialized, such as airport fire departments, while others are very similar to local fire departments. The on-site fire departments often have reciprocal mutual aid relationships with surrounding fire departments and some routinely respond to calls in the immediate area around their facilities.

Each of the armed forces operates its own network of fire departments to protect their larger bases and facilities. Several other federal agencies operate fire departments to protect their large and high risk facilities, particularly where the risks exceed the capabilities of the local fire service. Local fire departments often provide protection for federally owned and operated properties within their geographic areas, including many smaller military installations.

Private Fire Protection - There are a few private companies that provide fire department services as contractors to municipalities or fire districts. Where there is no public fire protection, some of these companies offer their services to individual property owners on a subscription basis. The relationship of these private fire departments with surrounding public fire departments is often limited.

Industrial Fire Departments - Many large industrial facilities operate their own fire departments or fire brigades, particularly large installations that involve exceptional risks or have special requirements. These on-site fire departments protect many strategically significant facilities, such as nuclear power stations, oil refineries and chemical plants that require very specialized capabilities. The on-site fire departments may have to be self-sufficient, particularly where the location is geographically isolated or the risks are beyond the capabilities of conventional fire departments. In a few areas, where there are many facilities with their own fire departments, they have established extensive mutual aid arrangements with each other, similar to mutual aid agreements among public fire departments.

When the facility is located within a jurisdiction that has a public fire department, the operations of the industrial fire department are usually subject to the command authority of the local fire chief, who has the legal responsibility to ensure that public safety is the first priority. In addition to providing the expertise and specialized equipment that may be essential for an on-site emergency, these organizations can often be a valuable resource to the public fire service - some participate in mutual aid networks as specialized resources and respond outside their facilities to assist public fire departments.

This fairly describes the mission of the fire service. It is apparent that the fire service is multifaceted and, indeed, an all-risk emergency response service.

Federal Government Relationships

Operational - The federal government has a major role in relation to emergency management and disaster planning, as well as the response to and recovery from declared disasters. The Federal Emergency Management Agency (FEMA) manages the disaster assistance programs that support and assist state and local jurisdictions when a federal disaster is declared. When this occurs a strong temporary relationship is often established with the local fire service, particularly where the fire chief is also responsible for a community's emergency management functions.

In most cases the mobilization of local resources to assist in disaster response and recovery operations is coordinated through state emergency management agencies. FEMA operates the Urban Search and Rescue (USAR) Program, which involves 27 locally based response teams. The USAR teams can be dispatched to major incidents anywhere in the United States that involve heavy rescue operations, such as collapsed buildings. Most of the USAR teams are operated by fire departments and fire department members are involved in all of the teams. These teams are an integral component of the response plan for earthquakes and hurricanes, as well as major terrorist incidents, such as the Oklahoma City bombing.

FEMA also includes the United States Fire Administration and its National Fire Academy, which are responsible for several programs and advanced education opportunities for the fire service. Both of these agencies are located at the National Emergency Training Center in Emmitsburg, Maryland, which is also the focal point for training state and local officials in emergency management. The US Fire Administration programs provide valuable assistance to local fire departments, but the agency does not directly fund, regulate or participate in the delivery of fire services.

Several other federal agencies have programs that support or involve relationships with the fire service. These include the Department of Transportation, which is particularly involved with hazardous materials transportation, as well as the Coast Guard and the Environmental Protection Agency, which are concerned with spills and releases of hazardous materials. The Department of Energy works with FEMA in providing training programs for emergency responders relating to radioactive materials. The Federal Aviation Administration provides funding for many airport fire departments and conducts research related to aircraft fire fighting and rescue operations.

The Department of Transportation supports emergency medical services through the National Highway Traffic Safety Administration. The Public Health Service is also involved in supporting emergency medical services and recently initiated the Metropolitan Medical Response Systems (MMRS) program, which involves fire departments in several metropolitan areas.

The Department of Justice is working with fire departments on counterterrorism training programs. The Bureau of Alcohol, Tobacco and Firearms and the FBI both work with local fire investigators on arson investigations, bombings and related cases, and the Drug Enforcement Administration has a relationship with many fire department hazardous materials teams due to the problem of hazardous chemicals that are involved in many drug labs. The Department of Justice also operates the Public Safety Officer Benefits Program, which covers deceased and disabled firefighters.

The Department of Defense under the Nunn/Lugar/Domenici Amendment will provide training to the fire departments of 120 major metropolitan areas to plan and prepare for terrorist activities that involve nuclear, chemical and biological agents. This program will end once all 120 jurisdictions

receive the training. In the meantime, the program will be turned over to the Department of Justice for management on October 1, 2000. The fire departments that are operated by the Department of Defense often work closely with local fire departments and provide a valuable back-up resource for many communities. The Department of Defense has also assisted fire departments in training with explosive devices and sponsors many research projects that have proven to be valuable to the public fire service.

The federal and state governments have the primary responsibility for fighting wildland fires, particularly on state and federal lands. The forces that provide wildland fire protection are usually seen as a separate branch of the fire service and have a fairly limited relationship to the fire departments that protect most urban and built-up areas, although it is not unusual for urban fire departments to become involved in wildland interface fire fighting operations. Some local fire departments have contractual agreements to provide the initial attack on wildland fires on state or federal lands and participate in the nationwide system for major wildland fires.

Regulatory – The federal government has a number of administrative regulations which impact upon the fire service. Some of these regulations have been supported by the fire service such as OSHA's respiratory protection standard, hazardous materials response, and bloodborne pathogens. Other regulations such as EPA's emissions standards which significantly affect the costs of diesel engines and the FCC authority over wireless radio systems used by emergency responders are merely adhered to. But each federal regulation brings with it a cost to the fire department in terms of training requirements, additional equipment needs, and increased purchase price for apparatus and equipment. These are basically unfunded mandates where local government entities or volunteer fire and rescue companies bear the costs.

Fire Service Part of U.S. Infrastructure

Three years ago, the Presidential Commission on Protection of the Critical Infrastructure identified the fire service as a key component of the protection of this country's critical infrastructure. The Commission declared the fire service an integral part of that infrastructure. The fire service is, in fact, part of the very fabric of America.

But today's fire service is no longer penned-in by jurisdictional boundaries. Most metropolitan areas have mutual aid agreements which routinely find fire companies operating outside their jurisdiction. There is an increase in highway incidents along the federal interstate highway systems to which local units respond. Increased cargo tonnage moving by truck, rail, ship and aircraft are increasing not only as a result of business expansion but from international trade agreements approved by the federal government. This increase in commerce is directly associated with increased incidents requiring emergency response. This is particularly true in the instances of response to hazardous materials incidents.

ICHIEFS Calls for Federal Grant Program

Mister Chairman, I have described the mission of the fire and emergency service. Our service covers the entire United States, protects the property therein, and serves virtually every citizen and visitor in this country. The fire and emergency service is an all hazards response service including some aspects of law enforcement. The Presidential Commission on Protection of the Critical Infrastructure identified five components of the U.S. critical infrastructure. America's fire and emergency service protects all segments of that critical infrastructure and is part of that critical infrastructure responsible for the continuance of government. And this is so, not just because a commission says so, but because it is the reality.

We are our nation's domestic defenders. We are based locally but willingly share a national responsibility to protect our nation from all forms of disaster – natural and manmade, large and small. Congress needs to understand the breadth in scope and the depth in impact of today's fire service which touches every part of our nation. And Congress needs to support this service with a federal grant program that promotes the safety and health of the emergency responders to assure that they can better serve the citizens and our nation.

Thank you for the opportunity to appear before this committee. I am prepared to answer any questions which you or the members of your committee may have.